IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 317 OF 2007

1. Ramdas Murlidhar Medankar
2. Sou. Surekha Ramdas Medankar
3. Sundarrao Babaji Ovhal ..Applicants

V/s

State of Maharashtra ..Respondent.

Mr. U.B. Nighot, Advocate for the applicants.
Mr. U.V. Nikam, APP for the State.

CORAM : J.H. BHATIA, J.

DATE : 2ND MARCH, 2007.

P.C.

. Heard Mr Nighot, learned Counsel for the applicants and Mr. U.V.Nikam, learned APP for the State informs that in spite of message is given to the investigating officer affidavit-in-reply is not prepared and submitted. It may be noted that in the order dated 31/1/2007 this Court (Coram: B.H.Marlapalle, J,) had observed that the complainant does not make out even a prima facie case of an offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and it appears to be the civil matter. At that time leaned A.P.P. sought time to file the reply

and the time was given with some protection to the applicants. More than one month is over since then but the reply is not filed.

2. Therefore, in the event of arrest in Crime No. 17/2007 registered at Chakan Police Station, the applicants shall be released on their executing P.R. of Rs. 10,000/- each with surety in like amount with conditions that they shall make themselves available to the police as and when required for the purpose of investigation. They shall fully cooperate with the police. Initially they shall remain present at the police station on 5th March, 2007 at 11 a.m. to 1 p.m. If the change sheet is filed, the applicants shall move the appropriate Court seeking bail in the matter and the concerned Court shall pass the order on the bail application on its own merits without being influenced by the order of anticipatory bail.

3. Application stands disposed off.

(J.H. BHATIA, J.)